# Exhibit "B"



From the desk of Chris Mandrell
Director of Homan Resources

PD Box 2000 Lubbock, Tx 79457 801 Texas Ave. Lubbock, Tx 79401 806, 712, 2002 Emandreffectibiss.com

www.ctdbrascom

November 23, 2011

Cathy Blanco EEOC El Paso Area Office 300 E. Main Suite 500 El Paso, TX 79901

RE: Charge Number 453-2012-0068

Dear Ms Blanco:

After receiving and reviewing the EEOC charge from claimant Eddle Wooten, he is charging McDonald Transit as the employer. However, Mr. Wooten was never an employee of McDonald Transit. His only employment was with City Transit Management Company, Inc. d/b/a Citibus.

Please advise on how we are to proceed with this claim. Your assistance is greatly appreciated.

Sincerely.

Chris Mandrell

Director of Human Resources



A McDonald Transit Associates, Inc. Contract Operator

Case 5:12-cv-00100-C Document 27-2 Filed 06/18/13 Page 3 of 8 PageID 53 U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION EEOC Form 161 (\*1/60) DISMISSAL AND NOTICE OF RIGHTS Eddle Wooten From: El Paso Area Office 2407 33rd Street 300 E. Main Strite 500 Lubbock, TX 79411 El Paso, TX 79901 On behalf of person(s) aggrieved whose identity is CONFIDENTIAL (29 CFR §1601.7(a)) **EEOC Charge No. EEOC Representative** Telephone No. M. Y. Moore, 846-2011-07746 Investigator (915) 534-4507 THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON: The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC. Your allegations did not involve a disability as defined by the Americans With Disabilities Act. The Respondent employs less than the required number of employees or is not otherwise covered by the statutes. Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge. The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge. Other (briefly state) - NOTICE OF SUIT RIGHTS -(See the additional information attached to this form.) Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.) Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

MAR 3 D 2011

Enclosures(s)

Area Office Director

(Date Mailed)

CC.

Julie Rowden
Director of Human Resources
CITI BUS TRANSIT
801 Texas Ave
Lubbock, TX 79401

J. Craig Johnson Attorney at Law 2402 52<sup>rd</sup> Street, Suite 12 Lubbock, TX 79412



### U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION El Paso Area Office

300 E. Main Dr., Suite 500 El Paso, TX 79901-1331 Toll Free: 866-408-8075 Potential Charge Inquiries: 800-669-4000

TTY (915) 534-6710 FAX (915) 534-6701 http://www.eeoc.gov

**Dallas District Office** San Antonio Field Office El Paso Area Office

CITI BUS TRANSIT **801 TEXAS AVE** LUBBOCK TX 79404

RE: Charge Number:

846-2011-07746

Charging Party:

**EDDIE WOOTEN** 

Respondent:

CITI BUS TRANSIT

#### Dear Sir/ Madam:

As a follow up to our previous mediation notice to you, the Equal Employment Opportunity Commission (EEOC) is unable to schedule mediation for this charge because not all parties agreed to mediate. One of the requirements of the mediation process is that both parties must agree to mediate. Therefore, the charge will be processed in accordance with the EEOC's established procedures.

If not already submitted, the employer is hereby requested to respond to the Request for Information previously mailed to the organization by the date indicated in block 4 of the Notice of Charge of Discrimination.

Open discussion of this charge for settlement/resolution purposes will continue to be an option throughout the entire investigative process. If you have any questions in the interim please call (800) 669-4000.

Sincerely,

DEC 2 2 25%

Date

Carolyn Cobb

Supervisor Investigator

EEOC For	EEDG Form 161 (11109) U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION					
DISMISSAL AND NOTICE OF RIGHTS						
8	iddie Wooten 460 Longhorn Drive ustin, TX 76247	Fi	rom: El Paso Area Office 300 E. Main Suite 500 El Paso, TX 79901			
		of person(s) aggrieved whose identity is VTIAL (29 CFR §1601.7(a))				
EEOC Charge No.		EEOC Representative	Telephone No.			
		Cathy Blanco,				
<del></del>	112-00068	Investigator	(915) 534-4527			
THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:  The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.						
لِي	Your allegations did	not involve a disability as defined by the Am	ericans With Disabilities Act.			
	The Respondent emp	The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.				
	Your charge was n discrimination to file:	Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge				
X	The EEOC Issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.					
	The EEGC has adop	ted the findings of the state or local fair emp	loyment practices agency that investigated this charge.			
	Other (briefly state)		· · · · · · · · · · · · · · · · · · ·			
- NOTICE OF SUIT RIGHTS - (See the additional information attached to this form.)						
You may lawsuit n	ination in Employmen ∕file a lawsuit against th nust be filed <u>WITHIN 9</u>	t Act. This will be the only notice of dis ne respondent(s) under federal law basi	on Hondiscrimination Act, or the Age missal and of your right to sue that we will send you ed on this charge in federal or state court. Your e; or your right to sue based on this charge will be be different.)			
Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.						
		On behalf of the C	omnüssion			
		Cathy Blan	- March 27 2012			
Endosures(s)		Jeffrey H. Zelmano Area Office Direct	(Date Mailed)			
, 1	Chris Mandrell Director of Human Res CITIBUS	Cra	ig Johnston 2 52nd St., Suite 12			
	P. O. Box 2000	երի	bock, TX 79412			

Lubbock, TX 79457

EEOC FORM 131 (11/89)	U.S. Equal Employm	ent Opportun	ny Commission			
	· · · · · · · · · · · · · · · · · · ·	,	PERSON FILING CHARGE			
<u> </u>		-	1			
Chris Mandrell		Calalin Situation				
Director of Hum	ian Resources	Eddie Wooten				
	t.Co., Inc. dba Citibus		THIS PERSON (check one or both)			
P. O. Box 2000	Contraction (Contraction)		Claims To Be Aggreeved			
Lubback, TX 79	457		Is Filling on Behalf of Other(s)			
1		•	<u> </u>			
<u> </u>			EEOC CHARGE NO.			
	ر بر این		453-2012-00068			
1	NOTICE OF CHAR	KGE OF DISCHIN ed for adelitional informat				
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	harge of employment discrimination has					
Title VII of the C	ivil Rights Act (Title VII) The Eq	ual Pay Act (EPA)	The Americans with Disabilities Act (ADA)			
X The Age Discrin	estantions to the action in the state of more					
LVI me side piscon	nination in Employment Act (ADEA)	The Genetic in	formation Nondiscrimination Act (GINA)			
The boxes checked belo	w apply to our handling of this charge:					
1. X No action is require	ed by you at this time.					
,						
2. Please call the EE	OC Representative listed below concerning	the further handling of t	his charge.			
3. Distance aminino hu-						
Licase hinang hi		position on the issues of	overed by this charge, with copies of any			
the charge. A pron	npt response to this request will make it eas	delow. Tour response, v der to conclude our inve	will be placed in the fite and considered as we investigate stigation.			
The contract to a second and a second		I request for information	and send your response to the EEOC is we investigate the charge. A prompt response to this			
request will make it	t easier to conclude our investigation.	ine the drift considered s	as we investigate the charge. A prompt response to this			
5. FFOC has a Media	Marine State of the State of th					
	ation program that gives panties an opportud outces. If you would like to participate, pleas	ity to resolve the issues	of a charge without extensive investigation or			
to	atoos. If you would like to participate, pleas	se say so on the endlos	ed form and respond by			
fyou <u>DO NOT</u> wis	h to try Mediation, you must respond to any	request(s) made above	hy the date(a) enecified there			
or any inquiry you may ha	ave should be directed to:	wn above. Your-posmo	n statement, your response to our request for information,			
	athy Blanco,	El Paso A	ea Office			
	Investigator		n Suite 500			
EE	OC Representative	El Paso, T.	4 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
Telephone (9	15) 534-4527	Fax: (915)	534-6701			
<b>3</b> -1-1			•			
Enclosure(s): X Copy of Charge						
<u> </u>						
CIRCUMSTANCES OF ALLE	Marie James					
Reice Color Sex Religion National Origin X Age Disability X Retalistion Genetic Information Other						
See enclosed copy of charge of discrimination. PLEASE NOTE: CHARGING PARTY AMENDED HIS CHARGE TO CORRECT RESPONDENT.						
Date	Name / Title of Authorized Official		Signature.			
JAN 19 2012	Jeffrey H. Zelmanow,	₩.	10.44 20			
· · · · · · · · · · · · · · · · · · ·	Area Office Director	_	Cathy Blanco for			

EEOC FORM 191 (11/08) U.S. EQUAL Employment Oppor	tunity Commission					
	PERSON FILING CHARGE					
Human Resources Director	<del>-</del> -					
MCDONALD TRANSIT	- 1 A 1 A 1 A 1 A 1 A 1 A 1 A 1 A 1 A 1					
801 Texas	Eddle Wooten					
Lubbock, TX 79401	THIS PERSON (check one or both)					
	Claims To Be Aggrieved					
	is Filing on Behalf of Other(s)					
	EEOC CHARGE NO.					
hour	453-2012-00068					
NOTICE OF CHARGE OF DISC						
(See the enclosed for additional in	tormation)					
This is notice that a charge of employment discrimination has been filed aga	inst your organization under:					
Title VII of the CWI Rights Act (Title VII) The Equal Pay Act (EPA	The Americans with Disabilities Act (ADA)					
	The state of the s					
X The Age Discrimination in Employment Act (ADEA) The Ger	and Tarki in inthin the anti-transition of the Company					
Wie was marginal in clubrolyment wer (when)	netic Information Nondiscrimination Act (GINA)					
The boxes checked below apply to our handling of this charge:						
No action is required by you at this time.						
1. I so months technico of four of the time:						
2. Please call the EEOG Representative listed below concerning the further handli	nn of this chlordo					
The state of the s	ing of this orange.					
3. Please provide by a statement of your position on the is						
supporting documentation to the EEOC Representative listed below. Your resp	sues covered by this charge, with copies of any					
the charge. A prompt response to this request will make it easier to conclude or	onse will be placed in the file and considered as we investigate or investigation.					
	and the Company of th					
4. X Please respond fully by 19-DEC-11 to the enclosed request for Infor	mation and send your response to the EEQC					
Representative listed below. Your response will be placed in the file and consider	lered as we investigate the charge. A prompt response to this					
request will make it easier to conclude our investigation.						
5. X EEOC has a Mediation program that gives parties an opportunity to resolve the	Secretary of a standard visible and a standard of the standard					
expenditure of resources. If you would like to participate, please say so on the						
to Katherine S. Perez, ADR Goordinator, at (210) 28						
If you <u>BO NOT</u> wish to try Mediation, you must respond to any request(s) made	1-2307					
For further inquiry on this matter, please use the charge number shown above. Your	position statement, your response to our request for information,					
or any inquiry you may have should be directed to:						
Carolyn G. Cobb. El Pas	so Area Office					
Supervisory Investigator 300 E.	. Main Suite 500					
	so, TX 79901					
No. 1	915) 534-6701					
Telephone (915) 534-4504	and the same transfer of the same of the s					
Enclosure(s): Copy of Charge						
CIRCUMSTANCES OF ALLEGED DISCRIMINATION						
Religion National Origin X Age	Disability X Retaliation Genetic Information Other					
the state of the s						
See enclosed copy of charge of discrimination.						
Date Name / Title of Authorized Official	Signature 7					
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Nov 17, 201 Jeffrey H. Zelmanow,						
Enclosure with EEOC Form 131						



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION El Paso Area Office

300 E. Main Dr., Snite 500 El Paso, TX 79901-1331 Foll Free: 866-408-8075 Potential Charge Inquiries: 800-669-4000 TTY (945) 534-6710 FAX (915) 534-6701 http://www.eecc.gov

Dallas District Office
San Antonio Field Office
El Priso Area Office

December 15, 2011

Chris Mandrell Director of Human Resources CITIBUS 801 Texas Ave. Lubbock, TX 79401

RE: Charge No. 453-2012-00068 Charging Party: Eddie Wooten

Dear Mr. Mandrell:

Charging Party and his attorney have requested that we amend the charge listed above to name the correct employer, CITIBUS, on the face of the charge. As soon as I receive the signed AMEMDED Charge from Charging Party, I will send you a new due date for your response to the AMENDED Charge. Thank you for your cooperation in this matter.

Sincerely,

Cathy Blanco
Cathy Blanco
Investigator
(915) 534-4527